

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE )	
KELLOGG COMPANY, GENERAL )	
MILLS, INC., and NESTLÉ USA, )	
INC., )	
	No. 1:11-cv-08808
Plaintiffs, )	
	Judge Steven C. Seeger
v. )	
	)
UNITED EGG PRODUCERS, INC., )	
UNITED STATES EGG )	
MARKETERS, INC., CAL-MAINE )	
FOODS, INC., and ROSE ACRE )	
F FARMS, INC. )	
	)
Defendants. )	

**JOINT MOTION TO AMEND PRETRIAL SCHEDULE AND SET TRIAL DATES**

Following this Court's December 8, 2022 hearing, the Parties conferred with respect to a trial date, and the Parties agree to the Court's proposed trial start date of October 16, 2023. The Parties also conferred with respect to a pretrial schedule based upon an anticipated October 16, 2023 trial commencement, and the Parties jointly propose the below pretrial schedule:

<b>Pretrial Order Scheduling</b>	
Oral argument on Plaintiffs' <i>Santiago</i> proffer (ECF No. 164), Defendants' motion to bifurcate (ECF No. 153), and key motions in <i>limine</i> <sup>1</sup>	February 27, 2023

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<sup>1</sup> The key motions *in limine* are (a) Plaintiffs' Motion in Limine to Exclude (1) Liability Evidence Concerning Conduct or Events After 2008 and (2) Evidence not Produced in Discovery (ECF No. 173); (b) Plaintiffs' Motion in Limine to Exclude or Limit Evidence Regarding Grocers and Certain 30(b)(6) Witness Testimony (ECF No. 180); (c) Defendants' Motion in Limine Regarding Deposition Designations (ECF No. 163); (d) Defendants' Motion in Limine to Preclude Evidence of Egg Exports (ECF No. 159);

<b>Pretrial Order Scheduling</b>	
Referral to magistrate judge after rulings on Plaintiff's <i>Santiago</i> , Defendants' motion to bifurcate, and key motions <i>in limine</i> <sup>2</sup>	To follow the Court's ruling on the above motions
Plaintiffs exchange draft pretrial order	June 9, 2023
Parties file pretrial order	August 1, 2023
Oral argument on pretrial order	August 29, 2023
Trial commencement	October 16, 2023

## **Settlement**

The Parties have not requested a settlement conference to date. There currently is no mutual interest in a settlement conference.

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(e) Defendants' Motion in Limine to Exclude Prior Complaints, Investigations, and Settlements (ECF No. 169); (f) Plaintiffs' Motion in Limine to Preclude Defendants from Introducing Evidence of Post-2008 State Laws when Offered to Contest Liability (ECF No. 174); and (g) Plaintiffs' Motion in Limine to Preclude any Reference to the Action or Inaction of any Federal or State Antitrust Regulatory or the US Department of Agriculture (ECF No. 178).

<sup>2</sup> The Parties do not consent to proceed before a magistrate judge for all purposes, but request a limited referral, after the Court rules on the *Santiago* proffer and the key motions *in limine*, for purposes of resolving objections over exhibits and deposition designations in a manner consistent with the Court's evidentiary rulings in those motions. (See also previous requests at ECF Nos. 216, 234.)

Dated: December 14, 2022

Respectfully submitted:

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